

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



January 31, 2005

ALL COUNTY LETTER NO. 04-49

TO: ALL COUNTY WELFARE DIRECTORS
ALL GROUP HOME PROVIDERS
ALL CHIEF FISCAL OFFICERS
ALL CHIEF PROBATION OFFICERS
ALL COUNTY LICENSING PROGRAM MANAGERS

SUBJECT: LEGISLATIVE CHANGES TO FOSTER CARE PROGRAMS

REFERENCE: ASSEMBLY BILL (AB) 2005 (Chapter 656, Statutes of 2004)
SENATE BILL (SB) 1612 (Chapter 845, Statutes of 2004)

The purpose of this All County Letter (ACL) is to inform County Welfare Departments (CWD) of the statutory changes resulting from passage of AB 2005 and SB 1612 and their effect on foster care policies and procedures.

AB 2005 – Group Home Letter of Recommendation Requirements

AB 2005 changes the process for establishing a group home program rate. Under the current process, a host county, primary placing county or regional consortium of counties is required to issue a letter of recommendation to a group home provider to establish a rate for a new group home program of a new or existing provider or a program change of an existing provider. The letter of recommendation must specify that the program is needed by a county, the provider is able to effectively operate the program, and that the provider is willing and able to accept placements under Aid to Families with Dependent Children – Foster Care (AFDC-FC) Program.

AB 2005 added requirements to the Welfare and Institutions Code (W&IC) Section 11462(i)(1) pertaining to the county letter of recommendation. The law now requires that a letter of recommendation also be provided to establish a rate for an existing program at a new location of a provider. Additionally, AB 2005 requires that if the letter of recommendation is not issued by a host county, the primary placing county must notify the host county of its intention to issue the letter and the host county must be given 30 days to respond to this notification. This notification process will assist in facilitating communication between primary placing counties and host counties.

The California Department of Social Services (CDSS) will be amending regulations to reflect these changes and counties will receive notification of the proposed regulation changes through the normal regulatory comment process.

SB1612 – Foster Care and Child Welfare Services: Childcare

SB 1612 provided various program allocations and also amended W&IC Section 11410 to allow counties to fund child care for foster family home providers, contingent on the CDSS obtaining a federally approved Amended California Title IV-E State Plan. The bill further mandated that federal financial participation (FFP) for child care would be matched by county only funds, and that State foster care cases would be 100 percent county share. The CDSS has submitted a State Plan amendment to the federal Department of Health and Human Services (DHHS). However, to date, the State Plan amendment has not been approved. Until the amendment is approved, counties are prohibited from submitting claims for Title IV-E FFP for child care activities. The CDSS will notify counties in a separate letter if, and when, the plan amendment is approved. In addition, CDSS will provide separate child care claiming instructions when the State Plan revision is approved.

If you have any questions regarding this ACL, please contact your Foster Care Funding and Eligibility Consultant at (916) 651-9152.

Sincerely,

BRUCE WAGSTAFF
Deputy Director
Children and Family Services Division

c: CWDA
CPOC